

REMARKS

Status of the Claims

Claims 1, 3-17, and 19-28 are pending in the present application. The methods of Claims 21 and 25 have been amended to more closely correspond to the apparatus of Claims 1 and 8. Claim 17 has been amended to recite a regenerative collection surface, to more closely correspond to similar elements in other claims (which necessitated the cancellation of Claim 18). As described in greater detail below, such amendments should enable at least Claims 1-16 of Invention I to be examined along with the elected claims (i.e., Claims 21-28) of Invention II.

Summary of Telephone Interview

On March 15, 2006, applicants' current attorney (Michael King, Reg. No. 44,832) and Examiner Douglas discussed (by telephone) potential amendments to Claims 21 and 25, which could result in some of the claims in the non-elected invention (i.e., Invention I, Claims 1-20) to be examined with the claims of the elected invention (i.e., invention II, Claims 21-28). In particular, the discussion related to the need to make the language of Claim 21 more closely correspond to the language of Claim 1, and the need to make the language of Claim 25 more closely correspond to the language of Claim 8, to facilitate the simultaneous examination of such claims.

Applicants would like to thank the Examiner for her willingness to discuss the above issues by telephone, and for being open to the possibility of examining additional claims in the present application.

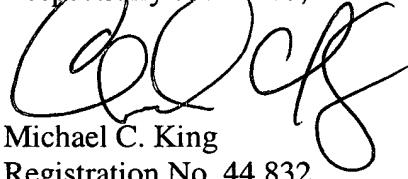
Applicants' Request for Claims 1-16 to be Examined with Claims 21-28 of Invention II

Independent Claim 1 (as previously amended) and independent Claim 8 are each directed to apparatus for collecting particles, each such apparatus comprising a regenerable collection surface. Independent Claims 21 and 25 are each directed to a method for collecting particles, and as currently amended, each method comprises steps that closely correspond to the structure recited in Claims 1 and 8.

These claims are related as process and apparatus for its practice. Significantly, because Claims 1, 8, 21, and 25 each include the element of a regenerable collection surface, it cannot reasonably be shown that either: (1) the process as claimed can be practiced by another materially different apparatus (a regenerable collection surface *is* required); or, (2) the apparatus as claimed can be used to practice another and materially different process (the function of a regenerable surface is directly related to the step of regenerating the surface after collecting particles). Accordingly, it would appear that Claims 1-16 should be considered to be encompassed in Invention II, and should therefore be examined along with Claims 21-28.

1 Furthermore, Claim 17 has been amended to include the regenerable collection surface
2 common to each other independent claim, and applicants respectfully request the Examiner to
3 consider whether examination of Claims 17-20 with Claims 1-16 and Claims 21-28 would be proper.
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5 Respectfully submitted,
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10 MCK/RMA:elm

11 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
12 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
13 Alexandria, VA 22313-1450, on March 15, 2006.

14 Date: March 15, 2006

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